1908-035 Chancery Causes: H. C. T. Richmond vs. Martin Early
Lee Co

CA-Debt
T-Property

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of Lee County, Virginia:

Humbly complaining your orator H.C.T.Richmond, would respectfully show unto your Honor that on the 3th day of September, 1898, he obtained a judgment againt one Martin Earley before C.W.Nash a justice of the Peace of Lee County, ~~a judgment~~ for the sum of $72.17 with interest thereon from the 3rd day of September, 1898, till paid, and 80 cents costs before said justice, and 25 cents costs incurred in docketing said judgment; that on the 3rd day of October, 1898, said judgment was duly docketed in the Clerk's Office of Lee County, Virginia, in Judgment Lien Docket No. 3, page 185; that since said judgment was so obtained and docketed, there have been made the following payments thereon, to-wit Sept.3,1899, by posts $1.25; Nov. 21,1899, by cash $3.60; Nov. 2nd, 1906, by posts $12.00; that these are the only proper credits upon said judgment, and that the balance thereof is still due and owing to your orator. Your orator will further show you Honor that said judgment was rendered upon a note, which waived the right to Homestead exemptions, and he herewith files, as part hereeof, marked Exhibit No. 1, said original warrant and judgment with the note upon which said judgment was rendered, thereto attached.

Your orator will now further show your Honor that on the 3rd day of Sept., 1898, before a justice of the peace of said County he obtained another judgment against William Early and the said Martin Early, for the sum of $5.35, with interest thereon from the 3rd day of September, 1898, till paid and $1.35 costs; which said judgment was on the 3rd day of October, 1898 duly Docketed in the County Clerk's Office of Lee County, Virginia in Judgment Lien Docket No. 3, page 185, and you orator alleges that the whole of this said judgment is still unpaid and is wholly due and owing to him.

Your orator will now further show your Honor that on the 3rd day of September, 1898, before one of the justices of the peace of said County, he obtained a judgement against Henry Early and Martin

Early for the sum of $20.37, with interest thereon from the 3rd day of September, 1898 till paid, and $1.35 costs, which said judgment was, on the 3rd day of October, 1898 duly docketed in the County Clerk's Office of Lee County, Virginia, in Judgment Lien Docket No. 3, page 185, which said judgment, or any part thereof, has never been paid, but the same and every part thereof is still due and owing to your Orator.

Your orator will now show unto your Honor that the said Martin Early is the owner of a one-half undivided interest in and to a certract of land lying in Lee County, Virginia, which was conveyed to the said Martin Early and Nancy M. Early, his wife, by deed dated the 28th day of August 1906, by John B. Yeary and Martha Yeary his wife, which said deed is of record in the County Clerk's Office of Lee County, Virginia, in Deed Book No. 44, page 496, and to which deed and the record thereof, reference is here made for a more particular description thereof.

Your orator has been advised that his said judgments are a lien upon the said interest in said tract of land of the said Martin Early, and that he has a right to have the same sold and subjected to the payment of his said judgments.

Your orator is advised and here alleges that there are no other liens against said Martin Early's interest in said tract of land, than those herein fully set out.

The prayer therefore of your orator is that Martin Early be made party defendant to this bill, that he be required to answer the same but not on oath as answer under oath is hereby expressly waived; that upon a final hearing your orator's said judgments herein before fully set out be decreed to be liens upon the interest of Martin Early in the said tract of land, and that the said interest in the said tract of land be decreed to be sold for the purpose of paying off and discharging the said judgments, and for full and complete general relief. And he will ever pray.

Jas. P. Cridlin P.Q.

A. C. L. Richmond

vs. { Bill

Martin Early

Filed Apr. 13, 1908.

N. C. D. Ewing,

Clerk.

1908, 2nd Apr. Rules

Dismissed by

order of Plff.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Martin Early

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in April, 1908, to answer a bill in chancery exhibited against him by H. G. Richmond,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 9th day of April, 1908, and 132nd year of the Commonwealth.

A Copy, Teste: H. C. T. Ewing, Clerk

_____, Clerk

Serve this at Onst

H. C. T. Richmond

VS { SUBPŒNA IN CHANCERY

Martin Early.

Geo. P. Cridlin, p. q.

To 2nd April Rules

Circuit Court

1908.

Executed by Delivering a true copy of the with into Martin Early April 11/08

C E Garrett D.S.

For Wm Tucker

S. L. C.